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New York

President: Mr. Ping ..... (Gabon)

The meeting was called to order at 10.25 a.m.

Tribute to the memory of King Fahd Bin Abdul-Aziz Al Saud, late Custodian of the Two Holy Mosques

The President (*spoke in French*): This morning, before we take up the items on our agenda, it is our sad duty to pay tribute to the memory of the late Custodian of the Two Holy Mosques, King Fahd Bin Abdul-Aziz Al Saud of Saudi Arabia, who passed away on Monday, 1 August 2005.

King Fahd was a man of great vision and leadership who inspired the people of Saudi Arabia for almost a quarter of a century. He led Saudi Arabia through a period of unparalleled progress and development, making enduring contributions in the field of international and regional diplomacy. He will be remembered for the devotion and wisdom with which he served his country and his people.

On behalf of the General Assembly, I request the representative of Saudi Arabia to convey our condolences to the Government and the people of Saudi Arabia and to the bereaved family of King Fahd Bin Abdul-Aziz Al Saud.

I invite representatives to stand and observe a minute of silence in tribute to the memory of King Fahd Bin Abdul-Aziz Al Saud.

The members of the General Assembly observed a minute of silence.

Tribute to the memory of Mr. John Garang, Vice-President of the Republic of the Sudan

The President (*spoke in French*): On behalf of the General Assembly, I would also like to pay tribute to the memory of the late Vice-President of the Republic of the Sudan, His Excellency Mr. John Garang, who died tragically on Saturday, 30 July 2005. I request the representative of the Sudan to convey our condolences to the Government and the people of the Sudan and to the bereaved family of His Excellency Mr. John Garang.

Tribute to the memory of The Honourable Lakshman Kadirgamar, Foreign Minister of Sri Lanka

The President (*spoke in French*): On behalf of the General Assembly, I would also like to pay tribute to the memory of the late Foreign Minister of Sri Lanka, His Excellency The Honourable Lakshman Kadirgamar, who died tragically on Friday, 12 August 2005. I request the representative of Sri Lanka to convey our condolences to the Government and the people of Sri Lanka and to the bereaved family of His Excellency The Honourable Lakshman Kadirgamar.

I now give the floor to the representative of Morocco, who will speak on behalf of the Group of African States.

Mr. Arifi (*spoke in Arabic*): I should like, on behalf of the Group of African States, to extend our condolences to the people and the Government of Saudi Arabia for their tragic loss — the death of the

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Custodian of the Two Holy Mosques, King Fahd Bin Abdul-Aziz. He was a friend to all African peoples and to all developing countries. He served his people and honoured his commitments, including to African development and international peace. The loss of King Fahd is a great loss. On this occasion, the African Group wishes to express its sadness, and its hope that the Saudi people will continue to prosper.

(*spoke in French*)

Permit me also to express, on behalf of the African Group, our most sincere condolences to the people and the Government of Sri Lanka following the tragic event that plunged that friendly country into mourning: the assassination of Lakshman Kadirgamar, Minister for Foreign Affairs of Sri Lanka. The African Group would like to express its solidarity with the Government and the people of Sri Lanka and also to condemn that barbaric terrorist attack aimed at destabilizing the country, which is beginning to find its path to peace.

In addition, I should like to express, on behalf of the African Group, our condolences to the people and the Government of the Sudan following the sad death of First Vice-President John Garang de Mabior in a tragic accident on 30 July 2005. We express our solidarity with that brotherly country, which has endured a long period of upheaval. We earnestly hope that that event will not interfere with the still fragile implementation of the Comprehensive Peace Agreement, to which the African family has greatly contributed and to which we attach the utmost importance.

The President (*spoke in French*): I now give the floor to the representative of Fiji, who will speak on behalf of the Group of Asian States.

Mr. Rokolaqa (Fiji): On behalf of the Asian Group, I wish to express our deepest sorrow at the passing earlier this month of King Fahd Bin Abdul-Aziz Al Saud of the Kingdom of Saudi Arabia.

King Fahd was a man of vision and mission who inspired his people as king. He devoted his entire life and all his time to the promotion of peace and stability in the region as well as internationally. That quest and his devotion to the principle of and the call for peace were evident in his contribution leading to the peaceful settlement of the Lebanese civil war, which resulted in an agreement signed in the kingdom. He was always pursuing political and diplomatic initiatives to find peace through justice and, through humanitarian action, to relieve suffering at the personal level nationally, regionally and internationally. He will be remembered for his contribution to humanity. We extend our condolences to his family and to the people of the Kingdom of Saudi Arabia.

I also wish to extend our condolences to the bereaved family and the people and the Government of the Democratic Socialist Republic of Sri Lanka at the sad and tragic passing of The Honourable Lakshman Kadirgamar, Minister for Foreign Affairs. Mr. Kadirgamar was a true and loyal servant who served his country with dedication, dignity and perseverance. He was a national leader who combined intellectual vigour, political courage and personal integrity and who was committed to the course of maintaining the peace and stability of the nation. He strived to achieve and maintain a political settlement that upholds pluralism and democracy within a united Sri Lanka. The nation has undoubtedly achieved incomparable success in its international relations because of his efforts and his beneficial diplomacy. We strongly condemn the act of terrorism that killed the Foreign Minister, and we hope that its perpetrators, organizers and sponsors will be brought to justice.

We also extend our heartfelt condolences to the bereaved family and to the Government of the Sudan on the untimely death of First Vice-President John Garang. Mr. Garang was not only a scholar, but a fighter who fought for what he believed would bring and preserve national unity in the Sudan. He spearheaded the negotiations to forge a north-south peace agreement that would achieve national stability. The nation and the international community will certainly miss him. We wish the new Vice-President well as he carries out his duties.

We salute those three great leaders of our time, whom we consider to be great peacemakers and peacekeepers. I would like to sum up their lives in a quotation: "The eagle's wings soar and show no sign of tiring or faltering. The men who made it possible are now at final rest."

The President (*spoke in French*): I now give the floor to the representative of Lithuania, who will speak on behalf of the Group of Eastern European States.

Mr. Šerkšnys (Lithuania): On behalf of the Eastern European Group, I extend our profound

condolences to the Government and the people of Saudi Arabia on the passing of King Fahd Bin Abdul-Aziz Al Saud. I would also like to convey our sincere sympathy to all members of the royal family. King Fahd represented his country for almost a quarter of a century. Major economic, social and political developments in Saudi Arabia were associated with King Fahd's name. Under his leadership, the country witnessed remarkable progress in all areas of life. At the same time, King Fahd was firmly guided by the principles and the tradition of Islam. We highly valued King Fahd's enduring contributions in the field of regional and international diplomacy, based on the principles of justice and an earnest search for peaceful solutions. His death is a huge loss not only for Saudi Arabia, but also for the Arab and Islamic communities and the world community at large.

I would also like to express the condolences of the Eastern European Group following the death of the First Vice-President of the Sudan, Mr. John Garang. He was instrumental in securing the January peace accord, which ended the longest-running conflict in Africa and led to the establishment of a Government of national unity. This is a great loss for the country and for the whole continent.

In addition, I wish to express the condolences of the Eastern European Group to the family of the late Minister for Foreign Affairs of Sri Lanka, Lakshman Kadirgamar, and to the Government and the people of Sri Lanka on his tragic loss, which shocked us all. Today we have an opportunity to give a last salute to a great diplomat, the Foreign Minister of Sri Lanka, whose dedicated contributions to durable peace and reconciliation in Sri Lanka will always be highly regarded and remembered. There can be no better tribute to pay to the memory of Lakshman Kadirgamar than to strive to uphold the values and standards that always guided his highly respected political career.

May the eminent personalities whose memory we honour today rest in peace.

The President (*spoke in French*): I call now on the representative of Antigua and Barbuda, who will speak on behalf of the Group of Latin American and Caribbean States.

Mr. Ashe (Antigua and Barbuda): I have the honour to speak on behalf of the Group of Latin American and Caribbean States and to convey the Group's condolences and sympathy to the family of the late King Fahd Bin Abdul-Aziz Al Saud of Saudi Arabia. As the guardian of his nation's Islamic faith, King Fahd helped design and implement many programmes that have shaped his country's progress, both at home and in the international arena. As a man of great vision and leadership, he was held in high esteem across the Arab and Muslim worlds because of his role as the Custodian of the Two Holy Mosques, the major shrines of Islam in Medina and Mecca.

With his passing, the international community will truly miss an active and effective player on the global diplomatic scene who never hesitated to use his diplomatic and mediation skills in times of crisis.

The Group wishes also to pay tribute to the memory of the late First Vice-President of the Sudan, His Excellency Mr. John Garang. We join the Government and the people of the Sudan and the bereaved family of Vice-President Garang in mourning his loss.

Finally, I wish to convey the Group's shock and dismay at the assassination of the Minister for Foreign Affairs of Sri Lanka, The Honourable Lakshman Kadirgamar. The Group concurs fully with the condemnation by the Security Council of that senseless act of terrorism. Foreign Minister Kadirgamar was an ardent advocate and courageous champion of a secular and united Sri Lanka. As a man of great integrity who dedicated his life to the search for peace and for a better life for Sri Lankans, he will be missed.

The President (*spoke in French*): I call now on the representative of Andorra, who will speak on behalf of the Group of Western European and other States.

Ms. Pià Comella (Andorra) (*spoke in French*): The countries members of the Group of Western European and other States join the rest of the international community in conveying sincere condolences to the royal family of His Majesty King Fahd Bin Abdul-Aziz Al Saud of Saudi Arabia and to the Government and the people of Saudi Arabia. King Fahd succeeded in ensuring his country's security and integrity and was a staunch defender of regional stability. There is no doubt that his endeavours constituted a cornerstone of the history of Saudi Arabia.

Our condolences go also to the family of First Vice-President John Garang of the Sudan and to the

authorities and the people of the Sudan. We salute his memory and his role in the process of reconciliation in his country.

All members of the Group of Western European and other States were dismayed at the news of the assassination of the Minister for Foreign Affairs of Sri Lanka on 12 August. We offer our condolences to the family of Mr. Lakshman Kadirgamar and to the authorities and the people of Sri Lanka. Observance of the ceasefire and the maintenance of the peace process are more necessary than ever before.

The delegations of my Group stand with those delegations at this time of bereavement.

The President (*spoke in French*): I call now on the representative of the United States, the host country.

Mr. Urbanic (United States of America): The United States takes this solemn moment to add its voice to the voices of the international community in sending our sympathies today to members of the royal family of the Custodian of the Two Holy Mosques, King Fahd Bin Abdul-Aziz Al Saud of Saudi Arabia. We send our condolences to the Saudi people and to their Government, as well as to the permanent representation of Saudi Arabia here in New York at the United Nations. King Fahd was a great advocate for stability in his region, and he kept his noble leadership by providing integrity, security and prosperity for the Saudi people.

May I also express the sorrow of the United States as regards the assassination on 12 August of the Minister for Foreign Affairs of Sri Lanka, Mr. Lakshman Kadirgamar. I present condolences to the family of the minister and to the people and the Government of Sri Lanka and its permanent representation to the United Nations. The minister's pursuit of peace and stability makes his death all the more lamentable.

Finally, the United States was deeply saddened to learn of the death of Sudanese First Vice-President John Garang de Mabior. I present condolences to the family of the First Vice-President and to the people and the Government of the Sudan and its permanent representation to the United Nations. Mr. Garang de Mabior was a visionary leader and peacemaker who helped bring about the Comprehensive Peace Agreement, which is a beacon of hope for all Sudanese people.

The President (*spoke in French*): I call now on the representative of Lebanon, who will speak on behalf of the Group of Arab States.

Mr. Assaf (Lebanon) (*spoke in Arabic*): I wish on behalf of the Group of Arab States to extend our heartfelt condolences to the people and the Government of Saudi Arabia on the passing of King Fahd Bin Abdul-Aziz Al Saud; to the people and the Government of the Sudan on the passing of Mr. John Garang, First Vice-President; and to the people and the Government of Sri Lanka on the passing of Mr. Lakshman Kadirgamar, Minister for Foreign Affairs.

King Fahd Bin Abdul-Aziz Al Saud, God rest his soul, made sincere efforts to bring about the reconstruction of his country and to bolster its prestige on the world stage. His passing is a grave loss for the entire Arab nation. He worked with dedication to develop and strengthen relations among Arab countries. Arabs will never forget how often King Fahd offered assistance in so many various situations and how many projects he financed.

We hope that the Saudi people will overcome this painful loss. We have every confidence that King Abdullah Bin Abdul-Aziz will continue on the path of stability for the kingdom.

The sudden death of Mr. John Garang, First Vice-President of the Sudan, was a great shock for the international community. Mr. Garang made serious efforts to build peace and hope in the Sudan. We have every confidence that our Sudanese brethren will succeed in overcoming this crisis and in moving their country forward on the road to unity and prosperity.

I wish also to condemn the killing of the Minister for Foreign Affairs of Sri Lanka, The Honourable Lakshman Kadirgamar. We hope that the ceasefire in Sri Lanka will continue and that the people of Sri Lanka will enjoy enduring peace and stability.

The President (*spoke in French*): I call now on the representative of Yemen, who will speak on behalf of the Organization of the Islamic Conference.

Mr. Alsaidi (Yemen) (*spoke in Arabic*): On 1 August, the Arab and Islamic worlds and the entire international community experienced a grave loss: the

demise of King Fahd Bin Abdul-Aziz Al Saud, Custodian of the Two Holy Mosques. He was an extraordinary man and a knight of peace and development. He learned wisdom from his father, as well as nobility, honesty and faithfulness. All those attributes were manifested in the manner in which he led the Kingdom of Saudi Arabia and in its relations with sister countries in the Arab and Muslim world and with other Members of the international Organization.

Upon assuming the throne and becoming the Custodian of the Two Holy Mosques and King of Saudi Arabia, in 1982, he championed a peace initiative at the Arab Summit in Fez, Morocco. That initiative sought a permanent and just peace that would close the book on a conflict that had lasted far too long. It also provided the pillars for stability and development in the Middle East. In proposing his initiative, he once again demonstrated his chivalry as a knight of peace in that part of the world.

King Fahd also promoted plans for his own country's development, making Saudi Arabia one of the world's most prosperous countries.

He worked with his brothers and leaders in the Arab world — including President Ali Abdullah Saleh of Yemen — to end through negotiations border disputes with neighbouring countries that had for long been a source of tension between brothers in the region.

King Fahd was generous and kind. He stood by many countries in the face of numerous problems and natural disasters, in addition to providing development and humanitarian aid.

The loss of King Fahd was a grave one. But his mark on every aspect of life — cultural, political, economic and otherwise — will forever remain in the memory of present and future generations. His efforts on behalf of the United Nations are evident as we prepare to celebrate its sixtieth anniversary, as are those made by King Faisal Bin Abdel-Aziz, who headed the delegation of Saudi Arabia to San Francisco in 1945.

May God grant rest to his soul and keep it in Paradise. We express our condolences to the bereaved family.

At this sad moment, death has also taken the soul of Mr. John Garang, First Vice-President of the Sudan, who crowned his struggle with a peace accord that would guarantee the unity and territorial integrity of his country. With his loss the Sudan and the other countries of the region have lost a man who worked for peace. We extend our heartfelt condolences to the people and the Government of Sudan.

We would also like to express our condolences to the people and Government of Sri Lanka. We condemn the assassination of Mr. Lakshman Kadirgamar, Foreign Minister of Sri Lanka. Sri Lanka and the wider Asian and international family have lost a man who distinguished himself in a role that strengthened his country's unity. On behalf of the Organization of the Islamic Conference, I would like to extend our condolences to the family of the late Foreign Minister.

The President (*spoke in French*): I call now on the Permanent Representative of Saudi Arabia.

Mr. Shobokshi (Saudi Arabia) (*spoke in Arabic*): In the Holy Book, God tells us that our souls will return to him to rest in peace in Paradise.

Along with others of every faith, the Kingdom of Saudi Arabia has bid farewell to a faithful son and great king, who spent his life defending the interests of the kingdom, strengthening our homeland's progress, initiating its renaissance and acting as the custodian of its values. He ruled with the law of God to achieve justice and fairness. In a region fraught with war, he led his country through storms and upheavals to the shores of safety to enjoy stability, prosperity and development.

He achieved much in his 24 years in his post, during which five economic development plans were put in place and implemented, thereby diversifying the country's economic base, raising the standard of living and improving the health of its citizens. He also led a renaissance in education, having been appointed Minister for Education in 1953. In addition to municipal elections, during his reign he put in place the Shurah Council system, a regional council and the national authority for human rights.

His Father, King Faisal Abdul-Aziz entrusted many political and administrative tasks to him, asking him to lead many Saudi delegations. Among those, he participated with his father, King Faisal, God rest his soul, in the 1945 San Francisco Conference. In 1962, King Fahd was Minister of the Interior. He served as Deputy Prime Minister in 1967, becoming Crown Prince in 1977 and King in 1982.

Arab and Muslim nations bid farewell to an inspired leader who gave everything for both Arabs and Muslims and who stood up for their causes and rights. He spared no effort or cost to strengthen solidarity and bring people together.

During his reign, Saudi foreign policy was based on Islam, our Arab values, non-aggression and good-neighbourliness. He was tolerant, moderate and peace-loving. He always called for cooperation and understanding. He was a man of vision and had the ability to settle disputes among brothers. His tolerance was matched only by his firmness in taking difficult decisions when this was necessary in order to protect the homeland and its people, and in order to further justice.

His efforts included: the expansion of the Two Holy Mosques; the printing of the Koran, its translation into different languages and its distribution to all Muslims; the building of mosques and Islamic centres in a number of universities throughout the world; and providing all the services needed by pilgrims. He also brought about enormous achievements in Saudi Arabia and endeavoured constructively to bridge the differences among Arabs and Muslims everywhere. His wise decision and courageous role in liberating Kuwait; his good offices to end the civil war in Lebanon, crowned by the Taif Agreement; the Middle East peace initiative launched at the Fez summit, to which he lent his name; and his support for the Afghan and Bosnian peoples: those will remain permanently engraved on his record, and we ask God to take them into account when King Fahd comes before him.

Humanity has bid farewell to a wise political leader. His positions and his contributions were aimed at putting amends to suffering and at promoting the stability and prosperity of the international community through wise policies in the fields of energy and politics and through support for all humanitarian causes.

Over the past five years, Saudi Arabia's official assistance to developing countries reached some $84 billion, or more than 4 per cent of the Saudi gross national product, in addition to the generous humanitarian and other assistance provided by Saudi Arabia.

I thank you, Mr. President, for opening today's meeting with a tribute to King Fahd Bin Abdul-Aziz Al Saud. On behalf of the Kingdom of Saudi Arabia, I thank you also for your condolences. I also express our thanks to our kind colleagues, the Chairmen of the regional and other groups and the representative of the host country, for their statements about the late king.

I also express our condolences to the delegation of the Sudan on the untimely demise of Mr. John Garang. We wish the best for the Sudan.

Further, I express our condolences to the delegation of Sri Lanka on the death of Mr. Lakshman Kadirgamar, Minister for Foreign Affairs of Sri Lanka.

Peace be upon the soul of King Fahd; long live the Custodian of the Two Holy Mosques, King Abdullah Bin Abdul-Aziz, His Royal Highness Crown Prince Sultan Bin Abdul-Aziz, Deputy Prime Minister, Minister of Defence and Inspector General. The Kingdom of Saudi Arabia will continue along the road begun by King Abdul-Aziz, and will continue to uphold his values and ethics as it proceeds. Such was the road of kings before him. The march towards reform and innovation will continue unabated, and Saudi Arabia will continue to stand against terrorism. The King and the Crown Prince will always support Arabs and Muslims as well as humanity at large. They will promote justice, cooperation, understanding, stability and prosperity.

The President (*spoke in French*): I now give the floor to the representative of the Sudan.

Mr. Manis (Sudan) (*spoke in Arabic*): Our thanks go to the Chairmen of the regional groups and to the representative of the host country, as well as to all the friendly countries that have expressed their condolences on the loss of Mr. John Garang.

Once again, I would like to express our condolences to the Saudi people upon the demise of King Fahd Bin Abdul-Aziz Al Saud. We are confident that our brothers in Saudi Arabia will be able to overcome that loss and continue the former king's vision under the current monarch, King Abdullah.

Our condolences also go to our friends in Sri Lanka following the criminal incident that took the life of the Minister for Foreign Affairs, the Honourable Lakshman Kadirgamar.

The entire world has followed the grave tragedy that befell the Sudan. We have lost a man who was one of our most important pillars towards achieving peace in the Sudan after a very hard road to peace and

stability. The death of John Garang de Mabior, First Vice-President of the Sudan, was a shock to the Sudan, to Africa and to all peace-loving countries. The demise of Mr. Garang came at a time when we most needed his leadership. He was a man of great vision at this very important juncture in the history of the Sudan: the implementation of the Comprehensive Peace Agreement. In particular, in the very brief period after he took the oath as First Vice-President, Mr. Garang contributed in every possible way towards building a unified and prosperous Sudan.

Mr. Garang has left us, as have many other great leaders. But his heritage remains: the Comprehensive Peace Agreement. From this rostrum, I affirm to all representatives that the peace march in the Sudan will continue, and that the Government and the popular movement established by John Garang are now moving forward hand in hand to implement the Comprehensive Peace Agreement, since peace is the will of the people and a strategic choice.

As Secretary-General Kofi Annan has said, the best way to celebrate the memory of the late Mr. John Garang is to bring about the permanent peace that John Garang sought.

We will continue on that road. Our first Government of National Unity will implement the Comprehensive Peace Agreement and strengthen the unity, stability and peace of the Sudan.

The President (*spoke in French*): I now give the floor to the representative of Sri Lanka.

Mr. Kariyawasam (Sri Lanka): My delegation wishes to convey its appreciation to you, Mr. President, and to the General Assembly for the condolences on the untimely and tragic demise of the Honourable Lakshman Kadirgamar, the late Minister for Foreign Affairs of Sri Lanka.

We join other delegations of the Assembly in paying tribute to the late Custodian of the Two Holy Mosques, King Fahd Bin Abdul-Aziz Al Saud of Saudia Arabia, and to Mr. John Garang, the late Vice-President of the Republic of the Sudan.

I also thank those delegations that spoke today expressing their sympathy to the Government and the people of Sri Lanka and indicating their solidarity with us in this hour of grief. We will convey those sentiments to the bereaved family of the late Minister.

The Honourable Lakshman Kadirgamar was a versatile personality. After a brilliant academic and professional career in Sri Lanka and abroad, including in the United Kingdom and Switzerland, Mr. Kadirgamar was appointed Minister for Foreign Affairs of Sri Lanka in 1994. He held that post continuously from that time except for a brief interval of two years. Mr. Kadirgamar took upon himself the challenging task of representing Sri Lanka abroad, strengthening the efforts of Her Excellency President Chandrika Bandaranaike Kumaratunga.

The late Minister endeavoured to make the international community responsive to the needs of developing countries. He believed in the need for constructive dialogue and engagement between the countries of the North and the South. That idea was underpinned by his emphasis on the relevance of the core principles of the Non-Aligned Movement and on the efficacy of South-South cooperation. He was committed to the ideals of pluralism, peace, freedom and democracy.

Long before 9/11 and the London bombings, Mr. Kadirgamar was often a lone voice warning the international community, from this Hall of the General Assembly, of the threat posed by terrorism to the peace and the security of States and the democratic way of life. But in the same breath he also emphasized the need to address the causes engendering terrorism.

Mr. Kadirgamar was at the forefront of the quest to find an equitable solution to the ethnic conflict in Sri Lanka. He confronted many a challenge in that task. His depth of vision, complemented by his diplomatic finesse and his consummate ability to articulate issues with clarity, helped Sri Lanka to capture the attention of the international community in that regard. He was above the fray in the midst of the cacophony of numerous voices and views. His capacity for persuasive and rational argument and the strength of his judgement and civility earned him plaudits. He rose above parochial, ethnic and religious prejudices.

Those who opposed him could not win the hearts of people through rational persuasion and simply chose the easiest option: the elimination of a person who could not be defeated through rational and civil discourse. Hate and prejudice triumphed temporarily on 12 August, and Lakshman Kadirgamar's illustrious life was brought to an end in a despicable act of terrorism. His assassination deserves the strongest

possible condemnation by all civilized people and nations.

In that regard, the international community has joined the people of Sri Lanka in condemning the assassination as a senseless act of terrorism. The investigations conducted thus far point to the Tamil Tigers as being responsible for that act. The Government of Sri Lanka has resolved to bring the perpetrators of the killing to justice.

The late Minister did not die in vain. He was a true representative of the core values of all that Sri Lanka and the civilized world stand for: peace, freedom, justice and fair play. He was a democrat and a patriot par excellence, and his life will continue to inspire those who stood with him and those who admired and believed in his ideas. The Government and the people of Sri Lanka join the international community in saluting the late Minister for his supreme service to the country, the international community and, above all, to humanity.

Agenda item 17 (*continued*)

Appointments to fill vacancies in subsidiary organs and other appointments

(h) Appointment of members of the Joint Inspection Unit

Note by the President of the General Assembly (A/59/889)

The President (*spoke in French*): As indicated in document A/59/889, in accordance with the procedures described in article 3, paragraph 1, of the statute of the Joint Inspection Unit, and having consulted Member States and having drawn up a list of countries from among the regional groups concerned, I requested France, Hungary, Senegal and Turkey to propose candidates to serve for a period of five years beginning 1 January 2006.

As also indicated in document A/59/889, the candidates, in accordance with paragraph 7 of Assembly resolution 59/267 of 23 December 2004, should have experience in at least one of the following fields — oversight, audit, inspection, investigation, evaluation, finance, project evaluation, programme evaluation, human resources management, management, public administration, monitoring and/or programme performance — as well as knowledge of the United Nations system and of its role in international relations.

As also indicated in document A/59/889, as a result of the consultations held in accordance with article 3, paragraph 2, of the statute of the Joint Inspection Unit, including consultations with the President of the Economic and Social Council and with the Secretary-General in his capacity as Chairman of the United Nations System Chief Executives Board for Coordination, I submit to the Assembly the candidatures of Mr. Gérard Biraud of France, Mr. István Posta of Hungary, Mr. Papa Louis Fall of Senegal and Mr. Cihan Terzi of Turkey for appointment as members of the Joint Inspection Unit for a five-year term of office beginning on 1 January 2006 and expiring on 31 December 2010.

May I take it that it is the wish of the General Assembly to appoint those candidates?

It was so decided.

The President (*spoke in French*): The General Assembly has thus concluded this stage of its consideration of sub-item (h) of agenda item 17.

Agenda item 18 (*continued*)

Election of judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Letter from the President of the Security Council (A/59/886)

Memorandum by the Secretary-General (A/59/887 and Add.1)

Curricula vitae (A/59/888)

The President (*spoke in French*): The General Assembly will proceed to the election of 27 ad litem judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 for a four-year term of office commencing on the day of the completion of this election.

As members will recall, the Security Council, by its resolution 1329 (2000) of 30 November 2000, decided to establish a pool of ad litem judges in the International Tribunal. To that end, it decided to amend articles 12, 13 and 14 of the Statute of the International Tribunal.

At the election of ad litem judges in 2001, 27 judges were elected for a term of office of four years that expired on 11 June 2005.

In connection with the election today of the 27 ad litem judges, I should like to bring the following matters to the attention of the General Assembly.

First, according to article 13 ter, paragraph 1, of the Statute of the International Tribunal, as amended by Security Council resolution 1329 (2000), the 27 ad litem judges of the International Tribunal shall be elected by the General Assembly from a list of candidates submitted by the Security Council. At its 5236th meeting, on 26 July 2005, the Security Council, in accordance with article 13 ter, subparagraph 1 (c), of the Statute of the International Tribunal, established a list of 34 candidates, taking due account of the adequate representation of the principal legal systems of the world and bearing in mind the importance of equitable geographical distribution. The list was formally conveyed to the President of the General Assembly by a letter dated 26 July 2005 from the President of the Security Council. The letter has been issued as document A/59/886.

Secondly, in accordance with article 13 ter, subparagraph 1 (d), of the Statute of the International Tribunal, as amended, the Holy See, a non-member State maintaining a permanent observer mission at United Nations Headquarters, shall participate in the election in the same manner as the States Members of the United Nations. On this occasion, I am happy to welcome here the representative of the Holy See.

Finally, I should like to draw the attention of the Assembly to the documents relating to the election. The memorandum by the Secretary-General concerning the election of the ad litem judges of the International Tribunal is contained in document A/59/887. The list of 34 candidates can be found in paragraph 8 of document A/59/887 and the two withdrawals in document A/59/887/Add.1. In addition, the representative of the Syrian Arab Republic has informed the General Assembly that the Government of the Syrian Arab Republic has withdrawn the candidacy of Mr. Ahmad Farawati. Therefore, there are now 31 candidates.

The curricula vitae of the candidates are contained in document A/59/888. In that connection, may I draw attention to the provision of article 13 of the Statute of the International Tribunal, as amended, which reads as follows:

> "The permanent and ad litem judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. In the overall composition of the Chambers and sections of the Trial Chambers, due account shall be taken of the experience of the judges in criminal law, international law, including international humanitarian law and human rights law."

As representatives are aware, the election of judges will take place in accordance with the relevant provisions of article 13 ter of the Statute of the International Tribunal.

In addition, given the similar nature of the election of judges of the International Court of Justice and the election of judges of the International Tribunal, it was decided at the time of the elections of judges in 1993, 1997, 1998 and 2001 to follow similar election procedures in the General Assembly. In his memorandum, the Secretary-General suggests that those precedents be applied to the election of ad litem judges of the International Tribunal.

I give the floor to the representative of Liechtenstein.

Mr. Wenaweser (Liechtenstein): Most of us probably remember the cumbersome elections of judges for the International Criminal Tribunal for the former Yugoslavia held in November 2004, in which seven rounds of balloting were necessary to fill the 14 positions that were vacant at that time. That was due to a procedural rule that the General Assembly had adopted at the beginning of the meeting, according to which the voting had to be repeated if too many candidates received an absolute majority. During the following two days of voting, counting and waiting, there was broad agreement in the room that something needed to be done to avoid a similar situation in the future.

In that spirit, we have submitted, in document A/59/898, a proposal aimed at preventing such a situation during today's election. For the purpose of these elections, we propose that, should a situation arise in which more than 27 candidates receive an absolute majority, we should not invalidate the results of the ballot but, rather, declare elected those who have received the highest number of votes, as we routinely do in many other elections and as is in keeping with the relevant provisions of the Statute. That proposal is particularly relevant today, since the low number of candidates makes it rather likely that such a situation might recur.

Before submitting the letter contained in document A/59/898 to the President last Thursday, we twice conveyed the contents of the letter to all missions in New York. We also reached out to as many delegations as possible to seek their views on our proposal. We were very pleased that it did not receive any objections, but was welcomed by a large number of delegations, in particular by those with candidates, as a logical and practical measure to make our work in the Assembly more efficient. We therefore consider this also to be a practical measure in revitalizing the work of the General Assembly.

Since our consultations have not revealed any objections to our proposal, we submit it to the Assembly for adoption in the hope that will be agreeable. We would also like to thank all delegations that have shown flexibility and support in discussions on the proposal.

The President (*spoke in French*): The representative of Liechtenstein has submitted an amendment to paragraph 18 of the memorandum by the Secretary-General (A/59/887) to the effect that

> "If, in the first ballot, more than 27 candidates obtain an absolute majority of votes, those 27 candidates having obtained the highest number of votes shall be considered elected. In the event of a tie for a remaining seat, there shall be a restricted ballot limited to those candidates who have received an equal number of votes."

Before proceeding further, the Assembly shall first take a decision on the amendment submitted by the representative of Liechtenstein.

Prince Zeid Ra'ad Zeid Al-Hussein (Jordan): We support the amendment to paragraph 18 of the memorandum by the Secretary-General, as proposed by the delegation of Liechtenstein, for the reasons just put forward by the Permanent Representative of Liechtenstein.

Mr. Rowe (Sierra Leone): On the basis of the brief consultations in the African group, I believe that my delegation is in a position to support the proposal. We duly support it.

The President (*spoke in French*): May I take it that the Assembly wishes to adopt the amendment submitted by the representative of Liechtenstein that, if in the first ballot more than 27 candidates obtain an absolute majority of votes, those 27 candidates having obtained the highest number of votes shall be considered elected and that, in the event of a tie for a remaining seat, there shall be a restricted ballot limited to those candidates who have obtained an equal number of votes?

It was so decided.

The President (*spoke in French*): In accordance with the decision just taken, the candidates who receive an absolute majority of votes and the highest number of the votes of States Members of the United Nations and of the non-Member State shall be declared elected.

The consistent practice of the United Nations has been to interpret the words "absolute majority" as meaning a majority of all electors, whether or not they vote or are allowed to vote. The electors, for this purpose, are all 191 Member States and one non-Member State, namely, the Holy See. Accordingly, 97 votes constitute an absolute majority for the purpose of electing ad litem judges of the International Tribunal.

The representative of Morocco has requested the floor.

Mr. Arifi (Morocco) (*spoke in French*): I, too, thank you, Mr. President, for your indulgence and patience. As was just mentioned, there have been very brief consultations among certain members of the African Group. I would like to state that the proposal just submitted by the representative of Liechtenstein, despite its balanced nature and the fact that it is well thought out, would pose certain difficulties for the African Group because of the effects that its implementation would have on regional representation. That is why the African Group asks that the current rules be maintained until the proposal is examined further in the future.

The President (*spoke in French*): We are awaiting the outcome of the consultations, because the Legal Counsel has reconfirmed to me that a decision has already been taken.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): As the Assembly is aware, and the President has announced, we have withdrawn the nomination of one of Syria's two candidates. Nevertheless, a number of representatives have asked me which name we have actually withdrawn, given the pronunciation that has been given. In that connection, let me specify that we have withdrawn the candidacy of Mr. Ahmad Farawaty. We confirm that Mr. Jawdat Naboty is still a candidate.

The President (*spoke in French*): I thank the representative of Syria for the clarification. I would like to add that the correct name is already reflected on the ballot, and the name of the candidate who has been withdrawn has been removed from the ballot.

Mr. Arifi (Morocco) (*spoke in French*): I am very sorry to have to take the floor for a second time.

In connection with my earlier statement, it appears that a decision has been taken. As a result of brief consultations held by the African Group, it has been suggested that I make a proposal that does not contradict the decision that has already been taken. That proposal would be to invite those countries that have put forth more than one candidate to instead limit their candidatures to one. In the light of the calculations that have been made, that would result in 27 candidates for 27 vacancies. I wonder whether the Assembly would agree to that.

The President (*spoke in French*): That would complicate matters, in part because the ballot papers would need to be redone. I shall nonetheless put that question to the Assembly, and in particular to countries that have put forth more than one candidate.

No delegation appears to wish to comment on this proposal. Can the representative of Morocco help us out of this impasse?

Mr. Arifi (Morocco) (*spoke in French*): I am afraid that, given the fact that the proposal emerged from consultations among members of the African Group, I cannot propose another solution as a Member State. I would therefore ask for a few more minutes to consult.

Mr. Shah (Pakistan): As we understand it, the proposal is that countries that have put forth more than one candidate withdraw candidates and field only one.

I am afraid that I am not in a position to take a decision on that right now. We would have to seek instructions, because we were instructed to field two candidates. It may not be possible for us to take a decision about withdrawing any candidate at this stage.

The President (*spoke in French*): That is precisely what I meant by this proposal complicating matters.

Mr. Arifi (Morocco) (*spoke in French*): Our appeal was addressed to countries that had put forth more than one candidate. Of course, it is our desire to avoid any complications in the voting. However, if the proposal would present problems, the African Group could keep an open mind and could move forward with the decision already taken.

The President (*spoke in French*): I am grateful to the African Group. We shall therefore proceed.

In accordance with the decision just taken, the candidates who receive an absolute majority of the votes and the highest number of votes of States Members of the United Nations and of the non-member State shall be declared elected. A few moments ago, I indicated that an absolute majority consists of 97 votes.

If, in the first ballot, the number of candidates obtaining an absolute majority is less than 27, a second ballot will be held and balloting will continue in the same meeting until 27 candidates have obtained an absolute majority and the highest number of votes.

Following the practice in the election of judges of the International Court of Justice, the Secretary-General suggests in his memorandum that any second and subsequent balloting shall be unrestricted.

May I take it that the Assembly agrees to the procedures I have just outlined?

It was so decided.

The President (*spoke in French*): As just decided by the General Assembly, if, in the first ballot, more than 27 candidates obtain an absolute majority of votes, those 27 candidates having obtained the highest number of votes shall be considered elected. In the event of a tie for a remaining seat, there shall be a

restricted ballot limited to those candidates who have obtained an equal number of votes.

I call on the observer of the Holy See.

Monsignor Cushley (Holy See): The Holy See continues to follow attentively the proceedings of the International Criminal Tribunal for the Former Yugoslavia (ICTY) and regards it as an instrument of the international community to express its condemnation of violations of international humanitarian law.

The Holy See appreciates that its active role in the international arena is recognized by the United Nations. Although the Holy See remains an observer State, rather than a Member State, it is invited to participate in the election of ad litem judges to the Tribunal in the same manner as the States Members of the United Nations, in accordance with article 13 bis, paragraph 1 (d), of the Statute of the International Tribunal, as amended by Security Council resolution 1329 (2000).

On this occasion, the Holy See, in consideration of its specific nature and objectives, and according to the recognized praxis in similar cases, has decided to abstain from casting its vote on the individual candidates to the office of judge of the ICTY.

In doing so, the Holy See wishes to renew its confidence in the choices that will be made by the international community and expresses its sincere best wishes to the judges who will soon be elected to serve the cause of justice and peace in the world.

The President (*spoke in French*): Before we begin the voting process, I should like to remind members that, pursuant to rule 88 of the rules of procedure of the General Assembly, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of the voting.

We shall now begin the voting process. Ballot papers will now be distributed.

I request representatives to use only those ballot papers that have been distributed. Only those candidates whose names appear on the ballot papers are eligible for election. Representatives will indicate the 27 candidates for whom they wish to vote by placing crosses to the left of their names on the ballot papers. Ballot papers on which more than 27 names are marked will be considered invalid. Votes may be cast only for those whose names appear on the ballot papers.

At the invitation of the President, Ms. Gérard (Belgium), Mr. Veloso (Brazil), Ms. Abraitienė (Lithuania), Mr. Cherkaoui (Morocco) and Mrs. Macalintal (Philippines) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 12.10 p.m.

Mr. Ashe (Antigua and Barbuda), Vice-President, took the Chair.

The meeting resumed at 1.10 p.m.

The Acting President: Given the high degree of interest in this vote, and the fact that Secretariat must, understandably, count all ballots, we need more time to ensure that all the ballots are counted. We will therefore suspend the meeting again and resume it for the announcement of the results.

The meeting was suspended at 1.15 p.m.

Mr. Dauth (Australia), Vice-President, took the Chair.

The meeting resumed at 2.55 p.m.

The Acting President: The result of the voting is as follows:

Number of ballot papers:	189
Number of invalid ballots:	1
Number of valid ballots:	188
Abstentions:	0
Number of members voting:	189
Required absolute majority:	97
Number of votes obtained:	
Mr. Tan Sri Dato Lamin Haji Mohd Yunus (Malaysia)	176
Mr. Melville Baird (Trinidad and Tobago)	175
Mr. Antoine Mindua (Democratic Republic of the Congo)	175
Ms. Vonimbolana Rasoazanany (Madagascar)	174
Mr. Frank Höpfel (Austria)	173
Ms. Janet Nosworthy (Jamaica)	173
Mr. Klaus Tolksdorf (Germany)	170
Mr. Burton Hall (Bahamas)	167
Ms. Michèle Picard (France)	164
Mr. Brynmor Pollard (Guyana)	164
Ms. Kimberly Prost (Canada)	162

Mr. Krister Thelin (Sweden)	161
Mr. Pedro David (Argentina)	159
Mr. Frederik Harhoff (Denmark)	159
Mr. Raimo Lahti (Finland)	158
Ms. Prisca Matimba Nyambe (Zambia)	158
Ms. Tsvetana Kamenova (Bulgaria)	157
Mr. Stefan Trechsel (Switzerland)	155
Mr. Ole Bjørn Støle (Norway)	153
Mr. Frans Bauduin (Netherlands)	152
Mr. Jawdat Naboty (Syrian Arab Republic)	145
Mr. Uldis Kinis (Latvia)	142
Mr. Árpád Prandler (Hungary)	139
Ms. Elizabeth Gwaunza (Zimbabwe)	133
Ms. Flavia Lattanzi (Italy)	132
Mr. Ali Nawaz Chowhan (Pakistan)	130
Ms. Chioma Egondu Nwosu-Iheme (Nigeria)	112
Mr. Giancarlo Roberto Belleli (Italy)	107
Mr. Abubakar Bashir Wali (Nigeria)	101
Mr. Ishaq Usman Bello (Nigeria)	90
Mr. Tanvir Bashir Ansari (Pakistan)	87

Having obtained an absolute majority and the largest number of votes, the following candidates were elected ad litem judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 for a four-year term of office beginning on 24 August 2005: Mr. Melville Baird (Trinidad and Tobago), Mr. Frans Bauduin (Netherlands), Mr. Ali Nawaz Chowhan (Pakistan), Mr. Pedro David (Argentina), Ms. Elizabeth Gwaunza (Zimbabwe), Mr. Burton Hall (Bahamas), Mr. Frederik Harhoff (Denmark), Mr. Frank Höpfel (Austria), Ms. Tsvetana Kamenova (Bulgaria), Mr. Uldis Kinis (Latvia), Mr. Raimo Lahti (Finland), Ms. Flavia Lattanzi (Italy), Mr. Antoine Mindua (Democratic Republic of the Congo), Mr. Jawdat Naboty (Syrian Arab Republic), Ms. Janet Nosworthy (Jamaica), Ms. Chioma Egondu Nwosu-Iheme (Nigeria), Ms. Prisca Matimba Nyambe (Zambia), Ms. Michèle Picard (France), Mr. Brynmor Pollard (Guyana), Mr. Árpád Prandler (Hungary), Ms. Kimberly Prost (Canada), Ms. Vonimbolana Rasoazanany (Madagascar), Mr. Ole Bjørn Støle (Norway), Mr. Krister Thelin (Sweden), Mr. Klaus Tolksdorf (Germany), Mr. Stefan Trechsel (Switzerland) and Mr. Tan Sri Dato Lamin Haji Mohd Yunus (Malaysia).

The Acting President: I would like to take this opportunity to extend to the judges the congratulations of the Assembly on their election, and to thank the tellers sincerely for their assistance.

May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 18?

It was so decided.

The meeting rose at 3.05 p.m.